

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re Merrill Lynch Auction Rate
Securities Litigation

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This Document Relates To:
No. 09 Civ. 9888 (LAP)

THE ANSCHUTZ CORP.,

Plaintiff,

09 MD 2030 (LAP)

-against-

JUDGMENT

MERRILL LYNCH & CO., INC.; MERRILL
LYNCH, PIERCE, FENNER & SMITH INC.;
DEUTSCHE BANK SECURITIES INC.;
MOODY'S INVESTOR SERVICE, INC.; THE
MCGRAW-HILL COMPANIES, INC.; FITCH,
INC.; AND FITCH RATINGS, LTD.,
Defendants.

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The Merrill Defendants and the Rating Agencies Defendants each separately having moved to dismiss under Fed. R. Civ. P. 12(b)(6), and the matter having come before the Honorable Loretta A. Preska, United States District Judge, and the Court, on February 9, 2011, having rendered its Opinion and Order granting the Merrill Defendants' motion to dismiss with prejudice, granting the Rating Agencies Defendants' motion to dismiss with prejudice and directing the Clerk of the Court to mark case no. 09 Civ. 9888 as closed, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Opinion and Order dated February 9, 2011, the Merrill Defendants' motion to dismiss is granted with prejudice; the Rating Agencies Defendants' motion to dismiss is granted with prejudice; and case no. 09 Civ. 9888 is closed and all pending motions are denied as moot.

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 3/2/11

Dated: New York, New York
March 2, 2011

RUBY J. KRAJICK

Clerk of Court

BY:



Deputy Clerk

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON** _____